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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 GOOGLE LLC,

12 Plaintiff,

13 vs.

14 SONOS, INC.,

15 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 220)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No. 220) filed in connection with Sonos’s Motion to Strike Portions of Google’s Motion for Summary Judgment and Expert Declaration (“Motion to Strike”) (Dkt. No. 219). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Motion to Strike	Portions highlighted in blue and blue boxes	Portions outlined in pink boxes on pages 9, 10, and 12	Google
Exhibit A to the Declaration of Alyssa Caridis in Support of Sonos’s Motion to Strike (“Exhibit A”)	Entire document	Portions outlined in blue boxes	Google

4. I understand that courts analyze sealing requests for motions to strike under the “good cause” standard (*see, e.g., Mendell v. Am. Med. Response, Inc.*, No. 19-CV-01227-BAS-KSC, 2021 WL 398486, at *2 (S.D. Cal. Feb. 3, 2021)); however, requests to seal information in connection with a motion for summary judgment—which is the subject of Sonos’s Motion to Strike—are analyzed pursuant to the “compelling reasons” standard. *See, e.g., Edwards Lifesciences Corp. v. Meril Life Scis. Pvt. Ltd.*, No. 19-CV-06593-HSG, 2021 WL 5233129, at *4 (N.D. Cal. Nov. 10, 2021); *Baird v. BlackRock Institutional Tr. Co., N.A.*, No. 17-CV-01892-HSG, 2021 WL 105619, at *5 (N.D. Cal. Jan. 12, 2021). I further understand that “sources of business information that might harm a litigant’s competitive standing” such as “proprietary product information and trade secrets” meet the

1 “compelling reasons” standard. *Illumina, Inc. v. BGI Genomics Co.*, No. 19-CV-03770-WHO, 2021
2 WL 4126005, at *15 (N.D. Cal. Sept. 9, 2021).

3 5. The portions of Sonos’s Motion to Strike outlined in pink boxes on pages 9, 10, and 12
4 in the unredacted version filed in connection with this declaration contain references to Google’s
5 confidential business information and trade secrets, including details regarding source code,
6 architecture, and technical operation of Google’s products. The specifics of how these functionalities
7 operate is confidential information that Google does not share publicly. Thus, I understand that the
8 public disclosure of such information could lead to competitive harm to Google, as competitors could
9 use these details regarding the architecture and functionality of Google’s products to gain a
10 competitive advantage in the marketplace with respect to their competing products. Although Sonos’s
11 Administrative Motion sought to seal portions of Sonos’s Motion to Strike highlighted in blue and in
12 blue boxes, Google seeks to seal only the portions outlined in pink boxes on pages 9, 10, and 12. A
13 less restrictive alternative than sealing would not be sufficient because the information sought to be
14 sealed is Google’s confidential business information and trade secrets but has been utilized by Sonos
15 in support of Sonos’s Motion to Strike.

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